

Background Credentials

PT holding duties
testify before

School - Degrees

Professional Associations
organizations

Since convicted
1st par
Not vital -
self-taught
self-taught
self-taught
self-taught

How many hours saw/interview
he helped

Review his
circumstances

prospective

giving up yes - what can tell

④ X-Profile

from where wheels fell off -

At some pt - didn't get guidance.

⑤

— Rehabilitation

Reviewed records at
adjusted roll H & JC

— Adjust roll - in prison

Industrialized production
Supervision

Planned
minister
remorseful

Now we hear my - don't develop Christian - don't fight back
Dance - Shallow impact

Placed on 5th gr - Soph

Cessation - beat up next day by 6 make friends
Winter Terrace - wrong room - don't smoke

Hanging young - kids -
joker

003371

Central Baptist - private
faulks 4th g - Divorced ^{He would not send back of his money} to fail 6

School

W¹ Healthy

lived in Woodward District

Truancy, long address
poor peer relations
Pushes in 5th or, abused
on the

Married

Mother - - at 18 could not control - sent to live w/ father -

Scott's

Discipline - Sporking when belt

Religious

Divorced - Apr 6

Father says - Mother would tell Lee: \$

Wanted Lee be his own man - not like other Blmers

Lee + Lee Sr split up several times - Lee Sr met she is as father - for Lee - Dec 1971

Lee -
son
- day after

Father - - at 17 Lee caught using drugs

character of Marriage - Lee - ge - ge - as bad - arguments over it, ca - s, clothes - in
days - alcohol by dad

Divorced - end weekend visitation

Cost - 12 hrs/day, Lee - 8 hrs/day - lived long hrs + ~~bed~~

Married Betty - when Georgia - then Betty
mother - felt Lee Sr - Glastonbury, Brook - line problems, denied
substance abuse

Mary - 15-16

mother -> alcohol - May 17-18 - gave in to peer pressure - wanted to be cool
Lee sneaks beer into home - 400g - Betty yelled at - father told Lee not to drink

...

Fights/Assaults

assault on her - Grass knuckles

~17 - Lee jumped - Behavior - delinquent

~19 - jumped - gun to his head - chain, shoes, sweatshirt

6th - 18 applied for Co-p - not accepted

003372

Belgian
Mother Church as child
Sister married Minister
Nephew Deacon

Mother - Church
Beverly - 12/1
Tucker + Rm
Lee

Gen Mold - 1965 - 207-1
Standard Text - 77-1

003373

1990-1991, 1991-1992, 1992-1993, 1993-1994, 1994-1995, 1995-1996, 1996-1997, 1997-1998, 1998-1999, 1999-2000, 2000-2001, 2001-2002, 2002-2003, 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, 2016-2017, 2017-2018, 2018-2019, 2019-2020, 2020-2021, 2021-2022, 2022-2023, 2023-2024, 2024-2025, 2025-2026, 2026-2027, 2027-2028, 2028-2029, 2029-2030, 2030-2031, 2031-2032, 2032-2033, 2033-2034, 2034-2035, 2035-2036, 2036-2037, 2037-2038, 2038-2039, 2039-2040, 2040-2041, 2041-2042, 2042-2043, 2043-2044, 2044-2045, 2045-2046, 2046-2047, 2047-2048, 2048-2049, 2049-2050, 2050-2051, 2051-2052, 2052-2053, 2053-2054, 2054-2055, 2055-2056, 2056-2057, 2057-2058, 2058-2059, 2059-2060, 2060-2061, 2061-2062, 2062-2063, 2063-2064, 2064-2065, 2065-2066, 2066-2067, 2067-2068, 2068-2069, 2069-2070, 2070-2071, 2071-2072, 2072-2073, 2073-2074, 2074-2075, 2075-2076, 2076-2077, 2077-2078, 2078-2079, 2079-2080, 2080-2081, 2081-2082, 2082-2083, 2083-2084, 2084-2085, 2085-2086, 2086-2087, 2087-2088, 2088-2089, 2089-2090, 2090-2091, 2091-2092, 2092-2093, 2093-2094, 2094-2095, 2095-2096, 2096-2097, 2097-2098, 2098-2099, 2099-20100, 20100-20101, 20101-20102, 20102-20103, 20103-20104, 20104-20105, 20105-20106, 20106-20107, 20107-20108, 20108-20109, 20109-20110, 20110-20111, 20111-20112, 20112-20113, 20113-20114, 20114-20115, 20115-20116, 20116-20117, 20117-20118, 20118-20119, 20119-20120, 20120-20121, 20121-20122, 20122-20123, 20123-20124, 20124-20125, 20125-20126, 20126-20127, 20127-20128, 20128-20129, 20129-20130, 20130-20131, 20131-20132, 20132-20133, 20133-20134, 20134-20135, 20135-20136, 20136-20137, 20137-20138, 20138-20139, 20139-20140, 20140-20141, 20141-20142, 20142-20143, 20143-20144, 20144-20145, 20145-20146, 20146-20147, 20147-20148, 20148-20149, 20149-20150, 20150-20151, 20151-20152, 20152-20153, 20153-20154, 20154-20155, 20155-20156, 20156-20157, 20157-20158, 20158-20159, 20159-20160, 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202012-202013, 202013-202014, 202014-202015, 202015-202016, 202016-202017, 202017-202018, 202018-202019, 202019-202020, 202020-202021, 202021-202022, 202022-202023, 202023-202024, 202024-202025, 202025-202026, 202026-202027, 202027-202028, 202028-202029, 202029-202030, 202030-202031, 202031-202032, 202032-202033, 202033-202034, 202034-202035, 202035-202036, 202036-202037, 202037-202038, 202038-202039, 202039-202040, 202040-202041, 202041-202042, 202042-202043, 202043-202044, 202044-202045, 202045-202046, 202046-202047, 202047-202048, 202048-202049, 202049-202050, 202050-202051, 202051-202052, 202052-202053, 202053-202054, 202054-202055, 202055-202056, 202056-202057, 202057-202058, 202058-202059, 202059-202060, 202060-202061, 202061-202062, 202062-202063, 202063-202064, 202064-202065, 202065-202066, 202066-202067, 202067-202068, 202068-202069, 202069-202070, 202070-202071, 202071-202072, 202072-202073, 202073-202074, 202074-202075, 202075-202076, 202076-202077, 202077-202078, 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2020139-2020140, 2020140-2020141, 2020141-2020142, 2020142-2020143, 2020143-2020144, 2020144-2020145, 2020145-2020146, 2020146-2020147, 2020147-2020148, 2020148-2020149, 2020149-2020150, 2020150-2020151, 2020151-2020152, 2020152-2020153, 2020153-2020154, 2020154-2020155, 2020155-2020156, 2020156-2020157, 2020157-2020158, 2020158-2020159, 2020159-2020160, 2020160-2020161, 2020161-2020162, 2020162-2020163, 2020163-2020164, 2020164-2020165, 2020165-2020166, 2020166-2020167, 2020167-2020168, 2020168-2020169, 2020169-2020170, 2020170-2020171, 2020171-2020172, 2020172-2020173, 2020173-2020174, 2020174-2020175, 2020175-2020176, 2020176-2020177, 2020177-2020178, 2020178-2020179, 2020179-2020180, 2020180-2020181, 2020181-2020182, 2020182-2020183, 2020183-2020184, 2020184-2020185, 2020185-2020186, 2020186-2020187, 2020187-2020188, 2020188-2020189, 2020189-2020190, 2020190-2020191, 2020191-2020192, 2020192-2020193, 2020193-2020194, 2020194-2020195, 2020195-2020196, 2020196-2020197, 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¹ See, for example, the discussion of the "right to be forgotten" in the European Union's General Data Protection Regulation (GDPR), Article 17(1).

JAMES WOOD, JR. 2 1987-1-1 1987-1-1
JAMES WOOD, JR.
FIRST CASE ENTERED: 04-10-81 1984 LAST CASE 3 1986 04-10-81 1987
EXPUNGEMENT PERIOD: 04-10-81 1986
SOCIAL SECURITY: 084-44-1146
FATHER: MURRAY LEE
MOTHER: MURRAY LEE
MAILING ADDRESS: 10121 MEREDITH 04-10-1987 04-10-1987
FATHER'S ADDRESS: 01010 1000 04-10-1987 04-10-1987
MOTHER'S ADDRESS: 01010 1000 04-10-1987 04-10-1987

⁴⁵ See, for example, the discussion of the 1992 Constitutional Convention in the *Journal of African Law* 36 (2002).

CASE NO. 152-001234-A DATE OF FILING: 08/11/2011

COMPLAINT: DRUG ABUSE

THERMODYNAMICS

DEGREE: **X⁴** SECTION: 1925-11 10421.

CASE STATUS: 10/05/92 CASE REPORTS

304

DATE	DISPOSITION	JUDGE/REFEREE
06/11/92	SOND SET: TYPE: CASH	AMOUNT: # 200 DUBAI
08/14/92	CONTINUANCE DATE: 8/14/92 POSSIBLE BOND DUE#	DUBAI
08/20/92	PROBATION: FINE FOR INVESTIGATION	DEMOTT
08/20/92	FINDING: ADJUDGED DELINQUENT	DEMOTT
08/20/92	CONTINUANCE DATE: 8/20/92 TRIAL	GBROBEMANN
08/20/92	PLEA: ADMIT	DEMOTT
10/05/92	INVESTIGATION TERMINATED	DEMOTT
10/05/92	PROBATION: CONTINUED PROBATION	DEMOTT
10/05/92	FINE: FINE: # 50	DEMOTT
10/05/92	COURT COSTS: COSTS: # 15 REMITTED: # 15	DEMOTT
10/05/92	CONTINUANCE DATE: 10/05/92 DISPOSITION	DEMOTT
10/05/92	COUNSEL: COUNSEL PRESENT	DEMOTT

BEGIN EXPUNGEMENT ELIGIBILITY: 10/03/20

200

CASE NO: 192/068067 I DATE OF FILING: 06/01/92

COMPLAINT: THEFT 51184

DEGREE: 81 SECTION: 1913-02 /CROW

DATE 07/17/20 06/11/22 CASE 21380660

06/11/92	ACCEPT TRANSFER	DETROIT
06/11/92	COMMITMENT:	<u>BURE COMM DEPT OF YOUTH SERV</u> DETROIT
06/11/92	FINDING:	<u>ADJ DEL - OUT-OF-CDRN TRANS</u> DETROIT
06/11/92	COURT COSTS:	<u>COSTS: # 15</u> DETROIT
06/11/92	COUNSEL:	<u>COUNSEL PRESENT</u> DETROIT
06/11/92	COSTS PAID	DETROIT

REGULATORY EXEMPTIONS IN VIGOROSITY 06/11/90

REMARKS: AM TRANSFER FROM BUTLER COUNTY

003374

DEGREE: F4 SECTION: 2913-0207 /ORDN

CASE STATUS: 06/11/02 CASE DISPOSED

ACK:

06/11/92 ACCEPT TRANSFER

DEMOTT

06/11/92 COMMITMENT:

DEMOTT

06/11/92 FINDING:

DEMOTT

06/11/92 COURT COSTS:

DEMOTT

06/11/92 COUNSEL:

DEMOTT

06/11/92 COSTS PAID

DEMOTT

BEGIN EXPUNGEMENT ELIGIBILITY: 06/11/92

REMARKS: ADM TRANSFER FROM BUTLER COUNTY

CASE NO: 1:00-cv-00023-SJD-MRM DATE OF FILING: 06/11/92

COMPLAINT: ATTEMPT GRAND THEFT F4

DEGREE: F4 SECTION: 2913-0207 /ORDN

CASE STATUS: 06/11/92 CASE DISPOSED

06/11/92 ACCEPT TRANSFER

DEMOTT

06/11/92 COMMITMENT:

DEMOTT

06/11/92 FINDING:

DEMOTT

06/11/92 COURT COSTS:

DEMOTT

06/11/92 COUNSEL:

DEMOTT

ACK:

06/11/92 COSTS PAID

DEMOTT

BEGIN EXPUNGEMENT ELIGIBILITY: 06/11/92

REMARKS: ADM TRANSFER FROM BUTLER COUNTY

CASE NO: 1:00-cv-00064-SJD DATE OF FILING: 06/01/92

COMPLAINT: ATTEMPT GRAND THEFT F4

DEGREE: F4 SECTION: 2913-0207 /ORDN

CASE STATUS: 06/11/92 CASE DISPOSED

06/11/92 ACCEPT TRANSFER

DEMOTT

06/11/92 COMMITMENT:

DEMOTT

06/11/92 FINDING:

DEMOTT

06/11/92 COURT COSTS:

DEMOTT

06/11/92 COUNSEL:

DEMOTT

06/11/92 COSTS PAID

DEMOTT

BEGIN EXPUNGEMENT ELIGIBILITY: 06/11/92

ACK:

CASE NO: 1:00-cv-00067-SJD DATE OF FILING: 06/11/92

COMPLAINT: ATTEMPT GRAND THEFT F4

DEGREE: F4 SECTION: 2913-0207 /ORDN

CASE STATUS: 06/11/92 CASE DISPOSED

06/11/92 ACCEPT TRANSFER

DEMOTT

06/11/92 COMMITMENT:

DEMOTT

06/11/92 FINDING:

DEMOTT

06/11/92 COURT COSTS:

DEMOTT

06/11/92 COUNSEL:

DEMOTT

06/11/92 COSTS PAID

DEMOTT

BEGIN EXPUNGEMENT ELIGIBILITY: 06/11/92

003375

CASE NO: 182/007997 PV DATE OF FILING: 05/29/92

COMPLAINT: BSR FC

A/C:

DEGREE: FC SECTION: 2923-12 /CPDN

CASE STATUS: 06/11/92 CASE DISPOSED

PROBATION OFFICER: KING/PAMELA

05/29/92	SEARCHED:	BRAZILE
	TYPE: NO SEARCH TO BE HELD	
05/30/92	REMAND TO DETENTION: NO DETENTION	BRAZILE
05/30/92	PROBATION: PROB FOR INVESTIGATION	BRAZILE
05/30/92	FOUNDING: ACCUSED DELINQUENT	BRAZILE
05/30/92	PLEA: ADMIT	BRAZILE
06/11/92	REMAND RELEASE DATE	DEMOTT
06/11/92	REMAND RELEASE DATE	DEMOTT
06/11/92	INVESTIGATION TERMINATED	DEMOTT
06/11/92	REREFAL ENDS	DEMOTT
06/11/92	WORK DETAILS: DAILY	DEMOTT
06/11/92	WORK DETAILS: DAILY	DEMOTT
06/11/92	COMMITMENT: SUSP COMM DEPT OF YOUTH SERV	DEMOTT
06/11/92	COMMITMENT: SUSP COMM DEPT OF YOUTH SERV	DEMOTT
06/11/92	PROBATION: PROBATION	DEMOTT
06/11/92	PROBATION: PROBATION	DEMOTT
06/11/92	COURT COSTS: COSTS: \$ 15	DEMOTT
A/C:		
06/11/92	CONTINUANCE DATE: 6/11/92 DISPOSITION	BRAZILE
06/11/92	COUNSEL: COUNSEL PRESENT	DEMOTT
06/11/92	COUNSEL: COUNSEL PRESENT	DEMOTT
06/11/92	JOBS PAID	DEMOTT
06/30/92	WORK DETAILS COMPLETE	DEMOTT
12/14/92	PROBATION RELEASE	JUDGE

BEGIN EXPUNCTION ELIGIBILITY: 05/14/92

RE-EXP: 05/14/92

CASE NO: 181-0005011 PV DATE OF FILING: 04/03/91

COMPLAINT: CARRYING CONCEALED WEAPON/182/007997

AGENCY: BTPR

DEGREE: M1 SECTION: 2923-12 /CPDN

CASE STATUS: 06/07/91 CASE DISPOSED

PROBATION OFFICER: KING/PAMELA

05/06/91	HOUSE ARREST:	04/16/90	HOLTMEIER
05/06/91	PROBATION: PROB FOR INVESTIGATION	HOLTMEIER	
A/C:			
05/06/91	PLEA: ADMIT	HOLTMEIER	
05/07/91	INVESTIGATION TERMINATED	HOLTMEIER	
05/07/91	FINE: FINE: \$ 50	HOLTMEIER	
05/07/91	COURT COSTS: COSTS: \$ 15	HOLTMEIER	
05/07/91	CONTINUANCE DATE: 6/07/91 DISPOSITION	HOLTMEIER	
05/07/91	COUNSEL: COUNSEL PRESENT	HOLTMEIER	
07/12/91	NOT FOR PAID	HOLTMEIER	
07/12/91	FINE PAID	HOLTMEIER	
07/12/91	COSTS PAID	HOLTMEIER	

BEGIN EXPUNCTION ELIGIBILITY: 06/07/91

RE-EXP: 05/14/92

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ACK/

05/06/91	COURT COSTS:	<u>COSTS: \$ 15</u>	HOLTMEIER
05/06/91	COUNSEL:	COUNSEL PRESENT	HOLTMEIER
05/06/91	PLEA:	ADMIT	HOLTMEIER
05/06/91	PT REP PAID		HOLTMEIER
05/06/91	COSTS PAID		HOLTMEIER

BEGIN DISPENSING ELIGIBILITY: 05/06/91

REMR: E: FF

TRAFFIC INFORMATION

NO TRAFFIC INFO FOR IDNO: 00092632

DEPENDENCY INFORMATION

NO DEPENDENCY INFO FOR IDNO: 00092632

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PC

922-7149

Purpose: Specific intent

Ernest Cope-

240m G.W. DIME BAG → several joints

Prepared - called

MaterialDon't think "Malicious" - 1500r
Not Gratuitous

- Leo Mele -

Last 2 pages

When group
is forced, influence
school

Gunning up

Academics

Vocational

Relationships

Health

Drug

Drafted facts - compiled

a person affected

Summary in terms of Mitigating

Factors

Plus Testimony

MITIGATING FACTORS

- YOUTH Any other

- INFLUENCE MARIJ & ALCOHOL

- adapting to Improvement

- REMORSE

- the stable Home - Divorce

lack of male figure, Mother-Only

strict Disciplinarian

- Picked on

- Son of other - 2 Dads - Not Death

- Unsubstantiated Statement

- Admissions to Shortton Corporation

School - G - m

May + Alcohol - Thinking & behavior

- alcohol - impaired concentration +

memory - inability to control lack
of inhibitionsand don't shoot someone
smelling just feel apart

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Need not be unanimous

9:00

Tomorrow

Pha. Phase 11/17 351-8977

AVOLo Many bldt

Terry Ross

Lack of Nurturing - *Shall v Powell* (1990) 49 Oh St. 31255

Offender's childhood experiences

unhappy upbringing - emotional deprivation

/ *Eddings v Oklahoma* (1982) 455 U.S. 104Need Psychological testimony linking offender's involvement in
the offense w/ attitudes he acquired as result of an abusive
childhoodAdmits childhood where offender's early life shaped a
personality w/ serious character defects*Shall v Smith* (1991) 61 Oh St. 31287,
296History, character, family and
juvenile factors

Youth - Real weight

An expression of deep sorrow + remorse is entitled to
some weight - *Shall v Brewer* (1990) 480 U.S. 3150, 14Offender's Potential for Rehabilitation - Hitchcock & Dugger
(1987) 481 U.S. 393, 397Good prison record - between arrest & trial was relevant
Skinner v South Carolina (1986) 476 U.S. 1Evidence of Co-Def's life sentence properly considered as
mitigation - *Bassett v State* (Fla 1984) 449 So 2d 802alcoholism & drug addiction - *Shall v Green* (1993)
66 Oh St. 32149Psychological weakness - *Shall v Carter*Def's corporalism - *Shall v Smith* (1991)
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Slater v. Smith (1991) 61 Ch St 3d 278

Suffering - mental anguish? Victim Not an Agg. Circumstance

Mitigates - D. Intox - drug abuse

Pros - Can be amt. of plan. In behavior. No mental disease or defect
capable of purposeful action, forming might
know enough concerning his actions

~~Use DC Demost~~

→ Mitigating factors - alcohol & drug dependency
psychological weakness

knows

difference between alcohol & drug offend

Slater v. Smith (1991) 61 Ch St 3d 284

SDS) Slater v. Smith (1991) 32 Ch St 3d 369, 513 N.Y.2d 3289

Dear Dad

From
Stidham

9-3-94

What's up dad? I'm doing pretty good, I hope you are too, I really don't have to much to talk about but I do want you to know that I'm very sorry that I was NOT a better son, I wish I could have been, I just had a lot of problems in my life

and I felt like I couldn't talk to anyone about it, like sometimes I would be sitting downstairs with you and I would want to talk to you about it but I just wouldn't, the truth is I have a problem communicating with people I don't know very well and I guess I didn't know you like I should have known you, I hope you understand what I'm saying.

I was NOT smoking crack, but I would drink & smoke weed constantly and I only did that because that was the only way I could get my mind off the problems in my life, it's like I was running from them, but since I've been locked up I have had time to think about why I turned out this way, I guess I was like a pressure cooker I had all of those feelings and problems bottled up inside of me eventually I just busted, sometimes I would even think

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About how all of these problems would go away if I just killed myself, I know I didn't want to do that, but that is something I shouldn't have even been thinking about, but I have a stable mind now that I have god in my life & I'm ready to go with the punches because I know ~~Everything is fine~~ ~~Everything is alright~~

Please tell Mrs. Betty that I'm sorry for not treating her better than I did, I do appreciate her because she allowed me to stay, sleep and definitely eat in her home and I know that she did not have to do any of that for me.

I wish it wouldn't have took all of this for me to come to my senses, but it did and now I have to live with it.

One more thing before I end this letter, I have got a few pictures on my mirror & in my drawers. Do you think you can mail them to me? Well until next time bye!

Love
See Edward Moore

Dear MAMA:

from
Siddharth
9-26-94

I Really don't know what to say -
So im JUST going To get To The
point. I know I have been a
big disappointment To you & daddy but
I want you To know That the way
I Turned out is NOT your FAULT
at all, you were The best Mother
a Son Could have I just Couldnt
Realize you were Trying To MAKE
A good PERSON out of me. I Really
Think My Downfall was Acceptance
From other Kids & Also Drinking &
Drugs, im NOT blaming Anyone for
My Mistakes because I Should have
been a stronger person, because I knew
That Drinking & Smoking was wrong but
All I was concerned with was being
Accepted by kids AT my School.

MAMA, Kids Actually Made my young
life Miserable. I got beat up, I got
chased home from School All The Time &
This Made me have a very low Self
ESTEEM, in Jr. high School I was
Actually Scared To Ride My School
bus home because People would Take
My hats And pick Fights with me. I
Didnt have Any Friends at all when

I was in Jr high school EXCEPT for younger kids like Micheal Across The Street and Kareem Around The Corner. That is why I stayed in trouble in School, being The Class Clown To Make People laugh So I Could be Accepted like other kids, but Really all I was Doing was Playing Myself! by The Time I got in high School Things were getting a little better, I Could Fight now because of getting my ass kicked so much when I was younger Excuse My French (C).

Any way I started maturing in The body but NOT in The mind. & People were Accepting ME Especially girls & I just lost my mind cause I never experienced popularity before.

Time goes on & me & my clique are like the koolaid and this makes me feel very good cause we got the girls the money & the "Clout".

but one day I'm hangin with "The boy" And some guys come over with some beer & say lets get drunk and everybody says kool I Really didn't want to but I was weak & I didn't want to lose my acceptance with the clique. So I drunk with them. This went on

for a while And Eventually it was a normal thing to drink a 40oz with the boys it became a habit & I started really messing up in school but I didn't care cause I had "Clout" & girls and I wasn't thinking about the future, I didn't have a care in the world.

Then I started getting in trouble with the law. I would hide my drink from you but occasionally I would come home very drunk & sick you know what I'm talking about & eventually you just got fed up because I was not doing nothing in school I was getting in trouble with the law & I would come home drunk so you thought me out and I can understand that but mama, that's the worst thing you could have done, I started living with daddy and it was like I was on my own, he gave me freedom to do what I wanted to do, I had never had that and I wasn't even ready for it, but I liked it I felt like I was a grown man but in reality I was a young boy with all this freedom I didn't need and

Could not control it, I spent all of my time drinking & smokin weed with the boyz & no time for God & school. When I enrolled into Woodward it was like withdrawing from school completely, it was so easy to skip school & not even to go I just didn't attend, I had all this freedom I just wanted to have fun. I wasn't thinking about school.

I started getting in trouble with the truant officer & they were threatening to kick me out I did better for a minute then started slipping again & eventually dropped out, I spent all my time drinking, screwing, smokin weed & hangin with the boyz "N" the hood I hardly ever spent any time at daddys house cause I was always in the streets. I did try to enroll into the job corps trade school but they wouldn't except me because of that drug charge I picked up when I was younger, then I started feeling useless & depressed.

I knew how you must have been feeling & I felt so ashamed of myself I didn't want to be around you.

I felt like There was nothing I could do I had no skills + I couldn't even learn one, I felt Trapped and I didn't want to work at McDonalds because I was 19 yrs old and I guess I had to much pride, but look were it got me. IT'S A Shame That all of This had to happen for me to come to my senses + realize I had a problem, I wish I could have been a better son and I am so sorry for disappointing everybody but now I know that when all of this is over I will be a better person because I have turned my life over to God + I have faith in him.

I understand everything that you ever tried to teach me and now I understand that you were trying to make me have a good life, I just wish I could have seen it when I was younger. I am so sorry any of this happened, if I could start from the beginning I would live my life a totally different way.

And as far as Shatunda is concerned I don't need her or her mamas support because I have my mama and my family's support

AND MOST important of all I have
The Support of Jesus Christ And
THAT'S all I Need.

LOVE

YOUR SON

Gene E. Moore, Jr.

P.S.

I Love you

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- *Washington v. State*, 362 So.2d 658 (Fla. 1978) (dicta)
[defendant's remorse considered as mitigating];
- *McCampbell v. State*, 421 So.2d 1072 (Fla. 1982) (dicta); *Simons v. State*, 419 So.2d 316 (Fla. 1982) (dicta)
[potential for rehabilitation];
- *Agan v. State*, 445 So.2d 326 (Fla. 1983)
[age mitigating factor might apply to those suffering from infirmities of old age but not in the case of a 54 year old]; *See also State v. Ramseur*, 524 A.2d 188 (N.J. 1987).
- *Bassett v. State*, 449 So.2d 803 (Fla. 1984)
[evidence of co-defendant's life sentence properly considered as mitigation];
- *State v. Bartholomew*, 683 P.2d 1089 (Wash. 1984)
[polygraph results admissible in mitigation at penalty phase];
- *State v. Davis*, 477 A.2d 308 (N.J. 1984)
["evidence...of statistical data based upon empirical studies" even of a general nature admissible if relevant to an individual defendant's potential for rehabilitation];
- *Huddleston v. State*, 475 So.2d 204 (Fla. 1985)
[override improper. Defendant was a drug abuser who lost job, girlfriend got pregnant, parents splitting up, etc.]
- *State v. Norris*, 328 S.E.2d 339 (S.C. 1985)
[defendant can both testify and give closing argument in penalty phase];
- *Cooper v. Wainwright*, 807 F.2d 881 (11th Cir. 1986)
[remand for hearing on opportunity to present non-statutory mitigation];
- *Floyd v. State*, 497 So.2d 1211 (Fla. 1986)
[murder victim's daughter against death penalty - relevant mitigation]; *See also Jackson v. State*, 498 So.2d 406 (Fla. 1986) [judge consider survivors view of death penalty but no jury testimony permitted];
- *Jeffers v. Ricketts*, 627 F.Supp. 1334 (D.Ariz. 1986)
[withdrawn plea offer admissible in mitigation];
- *Lucas v. State*, 490 So.2d 943 (Fla. 1986)
[resentencing jury with right to present non-statutory mitigating];
- *Skipper v. South Carolina*, 106 S.Ct. 1669 (1986)
[good jail conduct admissible under *Lockett*]; *See Truesdale v. Aiken*, 107 S.Ct. 1394 (1987) [*Skipper* retroactive]; *State v. Stewart*, 320 S.E.2d 447 (S.C. 1984) [testimony of jail guards regarding defendant's past jail conduct should have been admitted; "inartful proffer" ok]; *Pickens v. State*, 730 S.W.2d 230 (Ark. 1987) [*Skipper* error: death row good behavior before 2nd trial]; *Davis v. State*, 512 So.2d 1291 (Miss. 1987) [prior prison term can be mitigation]; *Fead v. State*, 512 So.2d 176 (Fla. 1987)
[model prisoner and parolee]; *Jordon v. State*, 518 So.2d 1186 (Miss. 1988) [invention of alternative energy source];
- *State v. Cooper*, 353 S.E.2d 441 (S.C. 1986)
[background of dispute between defendant and victim is mitigating];

Merritt v. State, 523 So.2d 573 (Fla. 1988)

[admission of escape while being transported on another charge three months before indictment in instant case was inadmissible];

People v. Morris, Cal., 756 P.2d 795 (1988)

[evidence of prior homicide by defendant to explain informant's bias improper];

State v. Lafferty, 749 P.2d 1239 (Utah 1988)

[evidence of other crimes offered in aggravation must be proven beyond a reasonable doubt. Claim based on federal constitution, not state law];

State v. Roce, N.J., 548 A.2d 1058 (1988)

[(non-capital) uncharged misconduct admissible only to rebut mitigating character evidence];

Tamme v. Commonwealth, 759 S.W.2d 51 (Ky. 1988)

[conviction and death sentence reversed, in part due to admission of irrelevant and prejudicial unadjudicated homicides introduced at guilt phase];

Foster v. Commonwealth, 827 S.W.2d 670, 679 (1992)

[unadjudicated prior bad acts inadmissible in aggravation, even in cross-examining a defense psychiatrist or on behalf of a co-defendant claiming duress because "admission of bad acts in a capital murder trial is highly prejudicial and ordinarily outweighs any probative value ..."].

3. Victims/Survivors/Pictures

People v. Ramirez, 457 N.E.2d 31 (Ill. 1983)

[error to call victim's widow at penalty phase when no relevant testimony to offer];

Romine v. State, 305 S.E.2d 93 (Ga. 1983)

[testimony of victim's father that he did not want defendant to receive death sentence admissible in mitigation; denial of continuance to secure that testimony reversible error]; See also *Floyd v. State*, 497 So.2d 1211 (Fla. 1986).

Adan v. State, 453 So.2d 1195 (Fla. 1984)

[non-capital; deceased's family member can't testify unless truly necessary];

Ice v. Commonwealth, Ky., 667 S.W.2d 671, 675-76 (1984)

["manner in which photographs of deceased child were introduced through the mother of victim interspersed with questions regarding her great love for the child and the terrible loss she had sustained"];

People v. Levitt, 156 Cal.App.3d 500 (1984)

[bereavement of victim's family not proper aggravating factor for sentence (non-capital case)];

Brandley v. State, 691 S.W.2d 699 (Tex.Cr.App. 1985)

[prosecutor's argument: "Put yourself in shoes of victim's parents..." was error];

Fuselier v. State, 468 So.2d 45 (Miss. 1985)

[victim's family can't sit at prosecution table];

People v. Coleman, 695 P.2d 189 (Cal. 1985)

[victim's hearsay regarding prior threats/fear of defendant error];